



Minutes City Council Issue Review Session March 24, 2005

Minutes of the Tempe City Council Issue Review Session held on Thursday, March 24, 2005, 6:00 p.m., in the City Council Chambers, Tempe City Hall, 31 E. Fifth Street, Tempe, Arizona.

COUNCIL PRESENT:

Mayor Hugh Hallman

Vice Mayor Mark W. Mitchell

Councilmember P. Ben Arredondo

Councilmember Barbara J. Carter

Councilmember Len Copple

Councilmember Pamela Goronkin

Councilmember Hut Hutson

Mayor Hallman called the meeting to order at 6:10 p.m.

Call to the Audience

Dennis Skolnick, Tempe, re: Downtown Towing. The tow truck companies aren't following the rules. Tow signs don't distinguish between the day and night rates. The towing companies want to change the rates because that hasn't happened in a long time. The rates in Phoenix are only \$10-15 more. The issue of towing cars to impound lots out of the city is a problem for those who are getting towed. Codes as they stand are affecting Tempe hospitality and how people feel about the downtown.

David Warner, ASU student, Tempe, re: volunteer services. He commended Mary Anna Bastin, a great asset to the community. The Neighborhood Advisory Commission (NAC) met with ASU administration regarding ASU students in rental homes in the neighborhoods. The NAC asked only what ASU could do about the issue, but not what the City could do. He would like to use ASU volunteers to work to teach students to be good neighbors and citizens.

Sean Stevens, Tempe, re: Towing. A few things need to change, such as lowering the impounds and regulating the distance a car can be towed for impound. Tow truck companies need to know that poor customer service, bad attitudes and illegal behavior won't be tolerated.

Bruce Baker, Sun City, representing IBA Towing Board. He is a lobbyist at the Legislature. Statewide, they are looking at these issues. The recommendation here this evening is to refer this issue to the Neighborhood Quality of Life & Public Safety Committee and he offered any help his organization may be

able to provide. Phoenix is closely watching Tempe, as well as the State.

Pete Colantoni, Mesa, representing ATR Towing & Recovery and B&B Wrecker Service. His company tows and impounds in Tempe. Much of the industrial property is being squeezed out of Tempe so it is difficult to find land for impound. He thanked Council for being proactive on this issue. Since 1982, the only thing that's stayed constant in Tempe is the cost of towing. His costs have gone up with trucks, fuel, insurance, etc. He has a lot of input for the committee and would like to be part of that process.

Speed Limits

INFORMATIONAL BACKGROUND available in City Clerk's Office.

DISCUSSION – Presenters: Civil Engineer Shelly Seyler; Deputy Public Works Manager Carlos de Leon

Councilmember Copple summarized that the Transportation Committee has been working on this issue. The Committee (Councilmembers Copple and Carter) supports Alternative 1A.

Shelly Seyler and Carlos de Leon narrated a PowerPoint presentation (copy available in the City Clerk's Office):

- Factors in establishing speed limits
- Map of existing Tempe limits
- Alternative 1 – provides consistency with neighboring cities and corridors (13 changes)
- Alternative 1A – same as above, but with 2 fewer changes (on Broadway and Guadalupe) (recommended by the Transportation Committee, Public Works and Police Department staff)
- Outline of specific changes on specific roads
- Alternative 2 – lower speeds throughout for safety reasons (recommended by Transportation Commission) with 35 mph downtown and 40 mph everywhere else
- Travel Time Observations

Mayor Hallman asked for the rationale for transitioning down to 35 mph approaching from the east to the west on Broadway toward Rural Road.

Ms. Seyler state that, typically, the preference is for a change in speed of only 5 mph. To stay consistent with the Mesa border, staff has recommended that the Broadway Road would stay at 45 mph where it is currently posted at 45 mph, which would allow for the transition down to 40 mph to 35 mph and back up to 40 mph. Staff would like to drop the speed down before the school zone and that's why it's not 45 mph across Broadway Road.

Councilmember Arredondo commended staff and the committee. The whole purpose was to try to build some continuity throughout the City and that has been accomplished. There was a feeling that some of these areas were speed traps, but that was only a perception. He asked staff to look at the signs at the school zones to make them more attention-getting and more visible.

Councilmember Hutson asked why Tempe has to change its speed limits to be consistent with the 40 mph speed limits in Phoenix and Mesa. Why slow down traffic through Tempe? Why shouldn't Phoenix and Mesa increase to 45 mph to be consistent with us? He disagreed with the travel vs. speed concept. That might work

well with traffic lights that are one mile apart, but with the intermediate lights, it is impossible to do 38 mph. Of the eleven items in 1A, he agreed with 3, 8, and 11, but doesn't agree with the others.

Mayor Hallman stated that there were only two instances where speed limits would be changed to match other cities and the main one is the University section from the Mesa border to Rural Road where it would be dropped. He supports Alternative 1A. Staff and the committee should work on the school zone issue. It's not about whether people think it's a speed trap, it's about making sure people know they are entering a school zone. He asked staff to look at all the options that might improve the signage along the school zones. The money is worth it to include the flashing lights during school hours so that drivers are alerted to be extra cautious.

Councilmember Copple responded that the Transportation Committee is already reviewing the City ordinance governing speed limits and school zones. There's a lot of work to be done to locate the additional schools that have been placed in strip shopping centers, churches and private buildings along the arterials. The Committee will be studying that and returning during the summer with some recommendations.

CONSENSUS

- **Alternative 1A approved, as recommended by the Transportation Committee and staff.**
- **Committee will return to full Council with analysis and recommendations re: school zone speed limit issues.**

Follow-up Responsibility: Carlos de Leon

Downtown Towing and Parking

INFORMATIONAL BACKGROUND

As a result of recent public appearances at City Council meetings, staff is seeking direction from Mayor and Council on addressing towing issues. Towing regulations were established in 1967 under Chapter 22 of Tempe City Code and was last amended in July 2001. Staff is recommending that this issue be referred to a Council Committee for further consideration.

CONSENSUS - Referred to Council's Transportation Committee.

Follow-up Responsibility: Carlos de Leon

Downtown Newsracks

INFORMATIONAL BACKGROUND available in City Clerk's Office.

DISCUSSION – Presenters: Development Services Manager Melanie Hobden

Melanie Hobden summarized that this item was referred by the Technology Advancement, Tourism & Redevelopment Committee. Five years ago, Council reviewed the possibility of centralized distribution of publications in the downtown. The newspaper groups agreed to self-police themselves to avoid the centralized news racks. Since that time, news racks have proliferated, especially along Mill Avenue. There are approximately 184 news racks from Rio Salado Parkway to University. Staff has been working with the DTC on this issue and staff's recommendation is to move forward to bring the existing condition into conformance with City requirements. Some downtown issues have changed since five years ago, including

parallel parking, additional fire lanes and bus turnouts, etc.

Councilmember Goronkin stated that the current conditions are unsightly and do not conform regarding access. The Committee recommends Tier 1 and 2 approaches as cited in the staff memo.

Mayor Hallman stated that this concerns news racks placed along the street and fire lanes, which hinder accessibility for fire personnel in emergency circumstance. Newsracks have also been placed in loading zones. There are a variety of other problems, including chaining the racks to Tempe public property, which is a violation of our code. Tier 1 moves forward with enforcement of the current City Code, and Tier 2 begins examining alternatives. It is important that smaller newspapers and publications have an opportunity to seek distribution to the public, but we also have a right to enforce a variety of City Codes for protection of the public. Once we begin enforcement, we may hear from some of the publications about what they are willing to do to assure their access to the public under the First Amendment. When Council first visited this issue, we had a letter from the *Arizona Republic's* attorneys promising appropriate enforcement among the publishing industry.

CONSENSUS

- Staff to begin enforcement of existing Codes/safety issues pursuant to “Tier 1 Approach” in staff’s memo.
- TATR Committee will return to full Council with analysis and recommendations re: “Tier 1 Approach” issues.

Follow-up Responsibility: Melanie Hobden, Eric Hansen

Update: Ironman Triathlon

INFORMATIONAL BACKGROUND available in City Clerk’s Office.

DISCUSSION – Presenters: Recreation Supervisor Travis Dray; Transportation Analyst John Brosky; Deputy Public Works Manager Carlos de Leon

Carlos de Leon summarized that the Ironman Arizona Triathlon is an international event bringing over 2000 competitors and 25,000 visitors to Tempe on April 9th.

Mr. de Leon, Travis Dray and John Brosky narrated a PowerPoint presentation about the event:

- Event Partners
- Ironman Overview
- Media Exposure
- Swim Course/Bike Course/Run Course
- Community Outreach: advance notifications regarding road closures
- Affected Area/Street Closures/Street Restrictions
- Access to downtown Tempe
- Getting Around Tempe/ Event Parking
- For more information, call 480-350-5180 or visit the websites.

Councilmember Arredondo acknowledged that staff are masters at special events.

Vice Mayor Mitchell stated that this is a great event for Tempe and tourism.

Mayor Hallman added that there will undoubtedly be a few headaches with traffic, but asked residents to be patient. This is new, but it will be a spectacular event for Tempe and the Valley.

NO CONSENSUS – DISCUSSION ONLY

Follow-up Responsibility: Travis Dray

Volunteer Report

INFORMATIONAL BACKGROUND available in City Clerk's Office.

DISCUSSION – Presenter: Parks and Recreation Director Mark Richwine; Volunteer Coordinator Mary Anna Bastin

Mary Anna Bastin narrated a PowerPoint presentation summarizing the volunteer program.

- Our volunteers and their diversity
- Service to Tempe in 2004 – 3700 people, more than 100,000 hours
- Value to the City: \$1.73M, equivalent to 48 full-time employees
- Intangible benefits of volunteering

Vice Mayor Mitchell stated that this is a great tribute to the City and its citizens. He asked about the outreach programs with ASU.

Ms. Bastin responded that she works with ASU Community Life/Community Involvement Office and she posts City opportunities for upcoming special events and other opportunities on their list serve through ASU. Approximately 250 ASU students are involved per year. Staff loves to work with ASU students and would love to have more of them in our volunteer program.

NO CONSENSUS – DISCUSSION ONLY

Follow-up Responsibility: Mary Anna Bastin

Summit Consensus Guidelines Review

INFORMATIONAL BACKGROUND available in City Clerk's Office.

DISCUSSION – Presenter: Community Relations Manager Jeff Kulaga

Mayor Hallman summarized that since this Council has now worked together for the past nine months, it is time to look at our operating procedures to see if anything needs to be modified or updated.

Councilmember Carter asked about Item #3, which specifies that any Councilmember may put an item on an agenda. She asked if there is a corresponding provision for taking items off the agenda.

Mayor Hallman responded that the protocol currently in the rules is that the Mayor and City Manager set the

agenda and if a Councilmember has put an item on the agenda, it will not be removed without that Councilmember's approval.

There was general discussion regarding sharing of information amongst the Council.

Mayor Hallman stated that the past Council consensus was that if City staff provides information to one Councilmember, then all Councilmembers will receive a copy of that information, but the requesting Councilmember's name would not be released. One of the issues is whether Mayor and Council staff should be included in that provision. The question is that if that information is provided to a councilmember by that staff and then later provided to other Councilmembers, should it go to all Councilmembers? His feeling is that staff members working directly for Councilmembers should be at their disposal to do the kind of research that those Councilmembers might like. It would make no sense at all if staff members who work in the Mayor's office would create a piece of paper every time and deliver it to Council, and it makes no sense that staff members working for Councilmembers supply every piece of paper they give a councilmember to all the other Councilmembers.

Councilmember Carter responded that her Council aide researched how our neighboring cities with at-large Councilmembers handle this. Scottsdale, Chandler and Gilbert were compared. It looks like Scottsdale and Chandler are saying that staff is staff. Some of them actually report directly and through the City Manager and they make no differentiation between Council staff, Mayor's staff and department staff. If the information and research being done by staff will then come before Council and be part of Council business, then the entire Council needs to see that information. If it's researched for response to a something that doesn't pertain to Council, then it doesn't need to be distributed.

Mayor Hallman stated that he has 110,000 pages of documents that he has collected over the last fifteen years, most of it research that he's done myself. Most of the time when someone asks him for files on those issues, they are made available, but he's not willing to carry the burden for those who don't want to do it. Some of the information is useful and some of it is not. It will create an enormous waste and an enormous drain on staff. He didn't think it's appropriate that he supply everyone with everything he does, nor did he think it is appropriate that staff members working with him specifically do that.

Councilmember Arredondo stated that he and Councilmember Goronkin share a Council Aide. She may want to answer something based on what she knows or what she has researched. He doesn't want to see her response. He will respond to his constituent as he saw fit based on the information he has. People of different opinions have been elected.

Councilmember Hutson stated that he didn't want his information shared before he was ready to develop it. If one of the Councilmembers hears about something that's being worked on, he's not going to go to his aide or the other councilmember's aide and ask them to find out what's happening. He will instead go to the councilmember and ask if they are working on it and ask if he can help. The aides shouldn't be put into that position.

Councilmember Goronkin asked if she asked her Council aide to do some research for her that didn't involve

another staff member, and it was going to take her more than two hours to do it, would she have to come and ask the Community Relations Manager or the City Manager's permission.

Mayor Hallman responded she would not.

Mr. Manley stated that his understanding would be that once the aide has received direction, she would not have to seek the City Manager's direction on spending that time, and his understanding would be that she would not have to supply it to anyone else unless the councilmember asks her to.

Mayor Hallman clarified that any materials coming from anyone other than Councilmembers or the council aides need to be distributed to all Councilmembers.

CONSENSUS

Previous Council consensus re: operating procedures revised as follows:

- Add to Consensus #3 re: Councilmembers' ability to place items on agendas that an item placed on agenda by a Councilmember cannot be removed from that agenda unless the requesting Councilmember agrees to have it removed. (consistent with Council's Meeting Rules of Procedure)
- City Clerk will prepare a draft Council Meeting Schedule through end of summer 2006. The draft will be distributed in a Friday packet, then a meeting will be scheduled with Council to finalize the annual meeting schedule.
- All references to 5-sided partnership will be changed to 6-sided partnership.
- Three Councilmembers will review applications for each round of Board and Commission appointments, instead of two.
- RE: Council research/information requests –
 - a. If a Councilmember or Mayor/Council staff member requests information from Department staff, then that information should be provided to all Councilmembers; unless it's a Council Committee-related request, then that information should be provided only to the requesting Committee-members.
 - b. If a Councilmember asks their Mayor/Council staff member to do research, then that information will only be provided to the Councilmember requesting that the research be conducted.
 - c. If a Councilmember requests specific research that has been done for another Councilmember, then the information will be provided at the discretion of the Councilmember for whom the original research was conducted.
 - d. Mayor/Council staff do not need permission from the City Manager to do research for their respective Councilmembers.
- A revised version of the consensus for Council's operating procedures will be prepared and distributed.

Follow-up Responsibility: Jeff Kulaga, Kathy Matz

Formal Council Agenda Items - No agenda items were discussed.

Mayor's Announcements/Manager's Announcements

Will Manley congratulated Police Sergeant Don Yennie for 20 years with the City.

Mayor Hallman stated that at the last Issue Review Session he requested the raw data from the survey of employees for the Diversity Audit so it could be better analyzed. Employees have been concerned that the release of that raw data will void the anonymity of the response, so he is withdrawing that request because he doesn't want to cause any undue concern.

Meeting adjourned at 7:45 p.m.

Kathy L. Matz
City Clerk